

Revised 03/06 WDNY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

23 CV 813 -V

FORM TO BE USED IN FILING A CIVIL COMPLAINT IN FEDERAL COURT
(Non-Prisoner Context)All material filed in this Court is now available via the INTERNET. See Pro Se Privacy Notice for further information.1. CAPTION OF ACTION

A. Full Name of Plaintiff: NOTE: If more than one plaintiff files this action and seeks in forma pauperis status, each plaintiff must submit an in forma pauperis application or the only plaintiff to be considered will be the plaintiff who filed an application.

Steven MACKIE



-vs-

B. Full Name(s) of Defendant(s) NOTE: Pursuant to Fed.R.Civ.P. 10(a), the names of all parties must appear in the caption. The court may not consider a claim against anyone not identified in this section as a defendant. Add a separate sheet, if necessary.

1. TOWN OF TONAWANDA
2. VILLAGE OF WARSAW
3. E. E. SUPERIOR COURT

4. _____
5. _____
6. _____

2. STATEMENT OF JURISDICTION, VENUE and NATURE OF SUIT*All of these sections MUST be answered*

Identify the basis for federal Court jurisdiction over your claim, such as that the United States government is a party to the action, all the parties reside in different states and therefore you claim diversity jurisdiction, or the claim presents a federal question or arises under federal law.

A. Basis of Jurisdiction in Federal Court:

TRUST PASS AGAINST EQUITABLE AND ALIENABLE
2ND AND 4TH AMENDMENT RIGHT.

State why the Western District of New York is the proper venue for this action, such as that your claim arises in or the defendant resides in the 17 westernmost counties of New York State.

B. Reason for Venue in the Western District:

SOLE INTENT OF THE LAW WAS NOT BROKEN.
NO INJURED PARTY, NO DAMAGE, CORPUS DELICTI - BODY OF THE CRIME
NO ACCUSER

Identify the nature of this action, such as that it is a civil rights claim, a personal injury or personal property (tort) claim, a property rights claim, or whatever it is.

C. Nature of Suit:

TRESPASS AGAINST ALIENABLE RIGHT TO BEAR ARMS, UNLAWFUL
SEARCH AND SEIZURE OF CONVEYANCE AND PROPERTY, EXCESSIVE BAIL, RIGHT TO DO
PROCESS OF THE LAW.

3. PARTIES TO THIS ACTION

PLAINTIFF'S INFORMATION NOTE: To list additional plaintiffs, use this format on another sheet of paper.

Name of First Plaintiff: Steven Mackie
Present Address: 1440 Jefferson Ave. SU-028
Buffalo, NY 14208

Name of Second Plaintiff: _____
Present Address: _____

DEFENDANT'S INFORMATION NOTE: To list additional defendants, use this format on another sheet of paper.

Name of First Defendant: Billie Jo Zakia (Tonawanda)
Official Position of Defendant (if relevant): Chief Clerk
Address of Defendant: 25 Delaware Ave.
Buffalo, NY 14202

Name of Second Defendant: PAT Wagner (Warsaw)
Official Position of Defendant (if relevant): Court of Clerk
Address of Defendant: 83 Center St
Warsaw, NY 14569

Name of Third Defendant: Katie O'Neill (Schenectady)
Official Position of Defendant (if relevant): Court of Clerk
Address of Defendant: 1835 Sheridan Dr
Buffalo, NY 14223

4. PREVIOUS LAWSUITS IN STATE AND FEDERAL COURT

A. Have you begun any other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes No

If Yes, complete the next section. NOTE: If you have brought more than one lawsuit dealing with the same facts as this action, use this format to describe the other action(s) on another sheet of paper.

1. Name(s) of the parties to this other lawsuit:

Plaintiff(s): _____

Cont' Complainant Foxawanda

J.P. Staufferger	1835 Sheridan Dr. Buffalo NY 14223
David Hensperrey	1835 Sheridan Dr Buffalo NY 14223
P.D. Wrenwright	1835 Sheridan Dr Buffalo NY 14223
M. Agugliaro	1835 Sheridan Dr Buffalo NY 14223
L.T. Valut	1835 Sheridan Dr Buffalo NY 14223
F.D. Riezzo	1835 Sheridan Dr Buffalo NY 14223
Cavorelle Jcc	1835 Sheridan Dr Buffalo NY 14223
Mark Gruber Jcc	1835 Sheridan Dr Buffalo NY 14223

Cont' ComplainantVillage of Warsaw

D. Yorksick	42 W Buffalo St Warsaw NY 14569
P. Hoffmeister	42 W Buffalo St Warsaw NY 14569
York Sand Jcc	83 Center St Warsaw NY 14569
Ron Errington Jcc	83 Center St Warsaw NY 14569
Vincent Hemming	147 N. Main St Warsaw NY 14569
W.C. Blythe Jcc	83 Center St Warsaw NY 14569

Cont' ComplainantSuperior Court

John J Flynn DA	25 Delaware Ave. Buffalo NY 14202
Michael J. Keane	25 Delaware Ave Buffalo NY 14202
DAVID M. ZAK	25 Delaware Ave Buffalo NY 14202
C.C Gable	25 Delaware Ave Buffalo NY 14202

Defendant(s): _____

2. Court (if federal court, name the district; if state court, name the county): _____

3. Docket or Index Number: _____

4. Name of Judge to whom case was assigned: _____

5. The approximate date the action was filed: _____

6. What was the disposition of the case?

Is it still pending? Yes No

If not, give the approximate date it was resolved. _____

Disposition (check those statements which apply):

Dismissed (check the statement which indicates why it was dismissed):

- By court *sua sponte* as frivolous, malicious or for failing to state a claim upon which relief can be granted;
- By court for failure to prosecute, pay filing fee or otherwise respond to a court order;
- By court due to your voluntary withdrawal of claim;

Judgment upon motion or after trial entered for

- plaintiff
- defendant.

5. STATEMENT OF CLAIM

Please note that it is not enough to just list the ground(s) for your action. You must include a statement of the facts which you believe support each of your claims. In other words, just tell the story of what happened and do not use legal jargon.

Fed.R.Civ.P. 8(a) states that a pleading must contain "a short and plain statement of the claim showing that the pleader is entitled to relief." "The function of pleadings under the Federal Rules is to give fair notice of the claim asserted. Fair notice is that which will enable the adverse party to answer and prepare for trial, allow the application of res judicata, and identify the nature of the case so it may be assigned the proper form of trial." Simmons v. Abruzzo, 49 F.3d 83, 86 (2d Cir. 1995).

Fed.R.Civ.P. 10(b) states that "[a]ll averments of claim ... shall be made in numbered paragraphs, the contents of each of which shall be limited as far as practicable to a single set of circumstances."

A. FIRST CLAIM: On (date of the incident) February 10, 2023,

defendant (give the name and (if relevant) the position held of each defendant involved in this incident) _____

P.O. Humphrey, Wainwright, Aguayo, Ladd, and LT. Valint.

did the following to me (briefly state what each defendant named above did): P.D Humphrey Stopped me for walking "Suspiciously" after pulling in a mini flags, After he waited for me 20 min until I returned to my Automobile. After Driving Passed him he wrote me 5 Tickets.
After running my Plate, he call for back up, 5 officers + Lt. Come, Informing me of a warrant, I asked if he had it, No reply. The conflict is they Search + Seized personal Property. I was transporting my Arms, which is my 2nd Amendment Right, but I Had a "Pistol Permit". They found "The Order of Protection" out of NYC Dated 1/21/23. I was on vacation for 2 1/2 wks and returned on 2/9/23 (10:30pm). The next day I went to Turn → The federal basis for this claim is: Sole intent of the law was Never Broken. My intent was to do what the "Order of Protection" Said (Immediately when I got home) Next Day 2/10/23.
State briefly exactly what you want the Court to do for you. Make no legal arguments and cite no cases or statutes:

I want the Court To hold Accountable all Person(s) responsible for my emotional, Mental, on Physical "Dulless" as well as Monetary Damages for Tortfeasing against my Affordable Rights - See Fee Schedule.

B. SECOND CLAIM: On (date of the incident)

2/11/23

defendant (give the name and (if relevant) position held of each defendant involved in this incident)

P.D. YANSICK ; W.C. BLYTHE Jcc ; RON ERRINGTON Jcc ; MARK SUNDT Jcc ; Pat Wagner - Court of Clerk

did the following to me (briefly state what each defendant named above did): 7/18/21 I was Traveling on I was issued 3 TKTs. I'm Not Committed, Not here and I Didn't accept their offer to Contract. (in Violation of My Common Law Copy right) when I didn't appear they ISSUED a warrant. Never knew it existed until I went to jail on 1/20/23 and was told to take care of it. On 2/10/23 I was arrested with the conflict at towards when Bailed Out, (was bail) P.O To me ~~for~~ ^{was} 70 miles at 10:45 pm To Bearraugh, excessive bail of \$2600 after excessive bail in one of \$25K. I was told to go to State trooper down → The federal basis for this claim is: Sole intent of the law wasn't Broken. No injured Party, No Damage, No Accuser only "N.Y. State" - No Deligation of Authority.

State briefly exactly what you want the Court to do for you. Make no legal arguments and cite no cases or statutes:

Hold Accountable all Person(s) responsible for Emotional, Mental, on Physical "Dulless" as well as Monetary Damages for Tortfeasing against my Affordable Rights See Fee Schedule

If you have additional claims, use the above format to set them out on additional sheets of paper.

did the following to me (briefly state what each defendant named above did): _____

The federal basis for this claim is: _____

State briefly exactly what you want the Court to do for you. Make no legal arguments and cite no cases or statutes:

C. THIRD. On (date of the incident) 7/15/23, defendant (give the name and (if relevant) position held of each defendant involved in this incident) DANIEL ZAK (ADA); SUSAN EAGAN (JCC)

did the following to me (briefly state what each defendant named above did): INSTEAD OF BEARING ARMS WITH PERMIT (HERE'S THE CORRECT). ON VACATION IN NY FOR 2 1/2 WEEKS AND I CAN'T CARRY MY ARMS THERE. Had alteration, an Order of Protection issued. When I returned on 219/23, I WAS TAKING ARMS TO MY CO-REGISTRANT MY BROTHER OR FRIEND P.D. They are both within 2 miles of each other. Profiled by PO Humphrey 2/10/23, led to search & seizure with ALL CONCEALED WEAPONS. 3/15/23 OFFICIAL LETTER COMES FROM PISTOL PERMIT DEPT TURN IN ALL ARMS, received on 3/18/23.

The federal basis for this claim is: RIGHT TO BEAR ARMS (HAD PERMIT); UNLAWFUL SEARCH & SEIZURE →
TRYING ME UNDER STATUE SILENT DICTIOIN OF N.Y. BOTH ADA AND JUDGE ARE REPORTLY TO →

State briefly exactly what you want the Court to do for you. Make no legal arguments and cite no cases or statutes:

If you have additional claims, use the above format to set them out on additional sheets of paper.

my arm in TO my CO-registrant (my Brother) or transfer
P.D.

Cont' Claim Two

The Way and Tell them "it's Code Blue" can you Drew me back to Buffalo. I didn't know where to go and the Sheriff's Holding Center was no help. So I slept in vestibule until the next day when someone picked me up.

Cont' Claim Three

The Conflict is I cont' carry arms in N.Y.C, they are in BuffaloSAFE. When I get home I take them the next day an get arrested and charged for doing what the "Order of Protection" said (immediately) Then approx 30 days later "Postal Permit" sent official letter to turn your arms in. Jan 21/23 - March 18/23

order of Pro. 3/10/23 official letter
arrested

Federal Basis

New York State, there is NO Criminal action under Statutory Jurisdiction in the Constitution. This is Civil at Best and Should Be tried under Admiralty Law or Common Law in which the Civil Rules of Procedure are different. There is "No injured Party, No Damage and NO Intent To Break the Law"

6. SUMMARY OF RELIEF SOUGHT

Summarize the relief requested by you in each statement of claim above.

Do you want a jury trial? Yes No

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 8/10/2023
(date)

NOTE: Each plaintiff must sign this complaint and must also sign all subsequent papers filed with the Court.

By: Nacelle Steven Baejicay
Signature(s) of Plaintiff(s)

